

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MICHELLE BONDURANT,

CV 04-899-ST

Plaintiff,

ORDER

v.

JO ANNE B. BARNHART,
Commissioner, Social Security
Administration,

Defendant.

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BROWN, Judge.

Magistrate Judge Janice M. Stewart issued Findings and Recommendation (#20) on August 16, 2005, in which she recommended the Court affirm the Commissioner's final decision denying Plaintiff's application for Supplemental Security Income under Titles II of the Social Security Act. Plaintiff filed timely objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). *See also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988); *McDonnell Douglas Corp. v. Commodore Business Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981), *cert. denied*, 455 U.S. 920 (1982). This Court has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and

Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Stewart's Findings and Recommendation (#20) and, accordingly, **AFFIRMS** the Commissioner's decision.

IT IS SO ORDERED.

DATED this 13th day of December, 2005

A handwritten signature in black ink, appearing to read "Anna J. Brown", is written over a horizontal line.

ANNA J. BROWN
United States District Judge